

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the matter of

	)	
Telecommunications Relay Services and	)	
Speech to Speech Services for	)	CG Docket No. 03-123
Hearing and Speech Disabilities	)	
	)	
Structure and Practice of the Video Relay	)	CG Docket No. 10-51
Service Program	)	

Communication Service for the Deaf, Inc's Comments  
to the Commission's Report and Order, Notice of Inquiry, Further  
Notice of Proposed Rulemaking and Order

*We seek comment on whether to amend section 64.613 of the Commission's rules to allow all providers of DVC customer support services to access the TRS Numbering Directory. We believe amending our rules to allow DVC customer support service providers access to the TRS Numbering Directory will enhance the functional equivalence of the TRS program by allowing VRS users to engage in more direct, private, and reciprocal communication with customer service agents. As the Commission has repeatedly recognized, compared to traditional TRS, "point-to-point services even more directly support the [purposes of section 225]" because they "increase the utility of the Nation's telephone system" for persons with hearing and speech disabilities by "provid[ing] direct communication—including all visual cues that are so important to persons with hearing and speech disabilities."*

We believe that Section 64.613 of the Commission's rules should be amended to expand TRS Numbering Directory access to entities who are qualified and intend to provide DVC customer support services. It is appropriate for the Commission to amend its rules to account for emerging technology that promises to remove barriers to achieving true functional equivalency for VRS users by allowing them to communicate firsthand with entities providing DVC customer support in the same manner that their hearing counterparts can communicate verbally with hearing customer support. The consequences of not amending Section 64.613 to make feasible DVC customer support means that VRS users would continue to be denied equal benefits when technology that makes equal access possible does exist.

*We also believe allowing DVC customer support service access to the TRS Numbering Directory will likely reduce the TRS costs that would otherwise be borne by the TRS Fund because using DVC "involve[s] direct, rather than interpreted, communication and does not trigger the costs involved with interpretation or unnecessary routing." We seek comment on these tentative conclusions.*

Ultimately, VRS users should have access to a telecommunications experience that a hearing person has, such as being able to communicate firsthand with a business or government agency. Providing VRS users with the choice of a direct connection is likely to have a significant impact on lowering reliance upon VRS and the more entities that offer this option, the greater the impact. Importantly, ensuring that entities can *offer* the choice of DVC will induce competition amongst these entities for the Deaf and hard of hearing customer base, leading over time to an increase in the quality of service provided, and higher DVC customer support service quality will further entice consumers to utilize DVC where available. However, the Commission must ensure certain criteria in determining whether DVC customer service providers are qualified and knowledgeable enough to provide DVC customer support because a VRS user encountering unqualified DVC customer service would simply revert back to making a VRS call, which would defeat the Commission's purpose of amending the rules to expand access to the TRS Numbering Directory for the purposes of achieving true functional equivalency for VRS users and reducing reliance on the TRS Fund.

*We further seek comment on the concerns raised by Sorenson, specifically whether any rule changes should require that ASL- capable DVC numbers be distinct from general service numbers used by hearing individuals to the same customer call center. Finally, we seek comment on any other factors we should consider regarding this proposed rule amendment, including specific costs or additional benefits from allowing DVC customer support services providers to access the TRS Numbering Directory, as well as alternative proposals for ensuring direct access to DVC customer support services.*

Under Americans with Disabilities Act (“ADA”), covered entities must provide aids and services where needed to communicate effectively with people with communication disabilities.<sup>1</sup> DVC utilizes the native language of many Deaf and hard of hearing persons, is simpler in process and nature when compared to the steps involved with making a VRS call, and conversations are more efficient than through VRS. Thus, it stands to reason that DVC is a vital service with which to provide effective communication to the Deaf and hard of hearing community, and can often provide the best experience when compared with VRS. However, DVC customer support services can only be considered functionally equivalent if the customer can obtain the same level of services that they would if they had called through VRS. If DVC customer support services are more limited in utility, as dedicated TTY lines were, then they cannot be considered functionally equivalent.

Consequently, we agree that it is important to retain customer choice to connect to customer service representatives via VRS with a video relay interpreter or to place a DVC call with an ASL-fluent customer service representative; however, we do not believe that requiring a *separate* number for VRS and DVC calls is the only, or best, way to accomplish that. For instance, choice can also be accomplished through a video-enabled automated phone menu. We therefore encourage *either* a requirement that, without mandating a specific option or method, DVC customer support providers with access to the TRS Numbering Directory ensure that their customers retain the option for connecting through VRS, *or* a requirement that DVC customer support service providers provide customer service at levels that are functionally equivalent to that received by their hearing callers.

Respectfully submitted,

COMMUNICATION SERVICE FOR THE DEAF, INC.

/s/ Christopher Soukup  
Chief Executive Officer

May 30, 2017

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<sup>1</sup> 28 C.F.R. § 35.160(b)(1).